



# PUBLIC NOTICE

Federal Communications Commission  
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Washington, D.C. 20554

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July 13, 2009

## ANNUAL SECTION 43.61(a) INTERNATIONAL TELECOMMUNICATIONS TRAFFIC REPORTS DUE JULY 31, 2009

Carriers are reminded that Section 43.61(a) of the Commission's rules requires each common carrier that provided international telecommunications services in 2008 to file a report of their international traffic data for calendar year 2008 by July 31, 2009.<sup>1</sup> This Public Notice clarifies the reporting codes for Traditional Settlement Arrangements and Non-Traditional Settlement Arrangements. Traditional Settlement Arrangements consist of traffic settled pursuant to the Commission's International Settlement's Policy (ISP).<sup>2</sup> Non-Traditional Settlement Arrangements consist of all traffic other than traditionally settled traffic.

All common carriers that provided international facilities-based and facilities-resale switched and private line services, or pure switched resale services, during calendar year 2008, are required to file the report regardless of the amount of traffic they provided. Facilities-based services are provided using international transmission facilities owned in whole or in part by the carrier providing the service. Facilities-resale services are provided by a carrier utilizing international circuits leased from other reporting international carriers. These are distinct from pure switched resale services, which are switched services that are provided by switching traffic to (and reselling the switched services of) underlying U.S. carriers. International facilities-based and facilities-resale switched message telephone and private line services data must be filed on a country-by-country, region and world total basis. International switched telegraph, telex and other miscellaneous services data may be filed on a region and world total basis only. Carriers that provided international pure switched resale services for the calendar year may file world totals only.

<sup>1</sup> 47 C.F.R. § 43.61(a).

<sup>2</sup> See 47 C.F.R. §§ 43.51(e), 64.1001, 64.1002 (2008). The 1997 Benchmarks Order established caps, or benchmarks, on the prices that U.S. carriers can pay foreign incumbents to terminate calls. In the Matter of International Settlement Rates, IB Docket No. 96-261, *Report and Order*, FCC 97-280, 12 FCC Rcd 19806, 19806, ¶ 1 (1997) (*Benchmarks Order*). In 2004, the Commission lifted the ISP requirements from agreements involving foreign carriers that do not have market power and on routes where the termination rates for U.S.-international services were below benchmark. See *International Settlements Policy Reform, International Settlement Rates*, IB Docket No. 02-234, First Report and Order, 19 FCC Rcd 5709, 5723-25, paras. 27-28 (2004) ("2004 International Settlements Policy Reform Order"). Currently, 165 routes are exempted from the ISP. See [http://www.fcc.gov/ib/pd/pf/isp\\_exempt.html](http://www.fcc.gov/ib/pd/pf/isp_exempt.html). See also *U.S.-Cambodia Route Exempted from the International Settlements Policy*, Public Notice, IB Docket Nos. 02-324, 96-261, 20 FCC Rcd 963 (Int'l. Bur. 2005). For a discussion of benchmarks, see *Benchmarks Order; Report and Order on Reconsideration and Order Lifting Stay*, 14 FCC Rcd 9256 (1999); *aff'd sub nom. Cable & Wireless P.L.C. v. FCC*, 166 F.3d 1224 (D.C. Cir. 1999).

Carriers should follow the instructions contained in the following documents when preparing and submitting their report to the Commission:<sup>3</sup>

- *Manual for Filing International Traffic Statistics Pursuant to Section 43.61 of the Commission's Rules*, Order, DA 95-1248, 10 FCC Rcd 13418 (1995) (*Section 43.61 Filing Manual*);
- *Annual Section 43.61(a) International Telecommunications Traffic Reports Due July 31, 2008*, Public Notice, DA 08-1648, 23 FCC Rcd 10903 (2008);
- *Annual Section 43.61(a) International Telecommunications Traffic Reports Due July 31, 2007*, Public Notice, DA 07-2635, 22 FCC Rcd 11036 (2007);
- *Annual Section 43.61(a) International Telecommunications Traffic Reports Due by July 31, 2006*, Public Notice, DA 06-1290, 21 FCC Rcd 6813 (2006);
- *Annual Section 43.61(a) International Telecommunications Traffic Reports Due by August 1, 2005*, Public Notice, DA 05-1963, 20 FCC Rcd 12052 (2005);
- *Reminder Filing Locations for Paper Documents and Instructions for Mailing Electronic Media*, Public Notice, DA 03-2730, 18 FCC Rcd 16705 (2003);
- *Annual Section 43.61(a) International Telecommunications Traffic Reports Due by July 31, 2000*, Public Notice, DA 00-1526, 15 FCC Rcd 12910 (2000);
- *Further Clarification of Section 43.61 International Traffic Data Reporting Requirements*, Public Notice, DA 99-1332, 14 FCC Rcd 11333 (1999);
- *Clarification of Section 43.61 International Traffic Data Reporting Requirements*, Public Notice, DA 98-1369, 13 FCC Rcd 12809 (1998);
- *Clarification of Section 43.61 International Traffic Data Reporting Requirements* (rel. July 15, 1997).

Carriers should also refer to the Attachments to this *Public Notice* for guidance in preparing and submitting their reports. Attachment 1 contains a table of billing codes for facilities-based and facilities-resale services. Carriers that wish to use Excel to create their reports should refer to Attachment 2, which includes a sample Excel filing-template with brief field descriptions for facilities-based/facilities-resale submissions.<sup>4</sup> Attachment 3 lists international terminating points, which should be used by carriers that report country-by-country statistics. Carriers are reminded to contact the FCC at (202) 418-0945 for international terminating points not included in Attachment 3.

Carriers must submit their reports on compact disc (CD) media. Each CD must follow the correct format as set forth in Section 2 of the *Section 43.61 Filing Manual*, "Diskette Format and Coding Instructions." All files must be converted to the correct electronic format. Carriers should refer to Section 2.B. of the *Section 43.61 Filing Manual*, "Record Formats," for detailed instruction.

Carriers that provided international facilities-based or facilities-resale switched or private line services should file an original and one copy of the transmittal letter, and an original and one copy of the public and confidential versions (if applicable) of the report, and one set of CDs for both the public and confidential versions with Marlene Dortch, Secretary, Office of the Secretary, Federal Communications Commission. Filing locations can be found @ <http://www.fcc.gov/osec/>. In addition, all carriers should mail one copy of the transmittal letter, the public version paper report, and the public version CD (if

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<sup>3</sup> Carriers may obtain these documents through the Commission's Electronic Document Management System (EDOCS) at [http://hraunfoss.fcc.gov/edocs\\_public/SilverStream/Pages/edocs.html](http://hraunfoss.fcc.gov/edocs_public/SilverStream/Pages/edocs.html) or from the following FCC sites: <http://www.fcc.gov/ib/sand/mniab/traffic/> and <http://www.fcc.gov/wcb/iatd/intl.html>.

<sup>4</sup> To use Excel to create the .436 file for filing, click [File]; select [Save as]; and then, in the dialog box, click [Save as Type]; use the drop down box to select the file type "Formatted Text (Space Delimited)". This will re-save the spreadsheet with a ".prn" file extension. Carriers must then rename the spreadsheet to change the file extension to ".436". That is the version of the file to be filed with the Commission.

applicable) to the Commission's contractor for public service records duplication, Best Copy and Printing, Inc. at the address below. **Carriers should not include submissions for the contractor with their submissions for the Federal Communications Commission. Submissions for the contractor, should instead, be filed separately to the address below.** Pure switched resale providers are reminded that their submission need only be on paper.

The *Section 43.61 Filing Manual*, public notices, and international points reports referenced in this *Public Notice* are also available through the Commission's contractor for public service records duplication: Best Copy and Printing, Inc., Portals II, CY-B402, 445 12<sup>th</sup> Street, S.W., Washington D.C. 20554, (1-800-378-3160, facsimile 202-488-5563) or at <http://www.bcpweb.com>.

For further information contact Linda Blake, Strategic Analysis and Negotiations Division, International Bureau (202) 418-0945, email: [Linda.Blake@fcc.gov](mailto:Linda.Blake@fcc.gov).

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